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## WAR FOOD ADMINISTRATION

[WFO 98]

## PART 1468—GRAIN

LIMITATIONS ON SALE, TRANSPORTATION, AND  
USE OF CORN

The fulfillment of requirements for the defense of the United States has resulted in a shortage in the supply of corn for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1468.6 *Limitations on sale, transportation and use of corn*—(a) *Definitions*. (1) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons whether incorporated or not, and includes any State or political subdivision or agency thereof.

(2) "Corn" means yellow, white, or mixed shelled corn, whole corn, ear corn, or snap corn, of the dent or flint varieties, excluding, however, seed corn, popcorn, grain sorghums, sweet corn, broom corn, and corn used for canning purposes.

(3) "Elevator operator" means a person who owns or operates a grain elevator, warehouse, or barge or car loading facility, and who receives corn for resale.

(4) "Commodity" means the Commodity Credit Corporation.

(5) "Chief of AAA" means the Chief of the Agricultural Adjustment Agency, War Food Administration, or any employee or agency of the Department of Agriculture designated by him.

(6) "Designated area" includes the following:

Illinois, counties of: Bureau, Cass, Champaign, Christian, De Witt, Douglas, Edgar, Ford, Fulton, Grundy, Iroquois, Kankakee, Kendall, Knox, LaSalle, Lee, Livingston, Logan, McLean, Macon, Marshall, Mason, Menard, Morgan, Moultrie, Peoria, Piatt, Putnam, Sangamon, Scott, Stark, Tazewell, Vermillion, Will, and Woodford.

Indiana, counties of: Benton, Fountain, Jasper, Montgomery, Newton, Pulaski, Starke, Tippecanoe, Vermillion, Warren, and White.

Iowa, counties of: Audubon, Boone, Buena Vista, Calhoun, Carroll, Cerro Gordo, Cherokee, Clay, Crawford, Dallas, Dickinson, Emmet, Franklin, Fremont, Greene, Grundy, Guthrie, Hamilton, Hancock, Hardin, Harrison, Humboldt, Ida, Jasper, Kossuth, Lyon, Marshall, Mills, Monona, Montgomery, O'Brien, Osceola, Page, Palo Alto, Plymouth, Pocahontas, Polk, Pottawatomie, Poweshiek, Sac, Shelby, Sioux, Story, Tama, Webster, Winnebago, Woodbury, and Wright.

Minnesota, counties of: Blue Earth, Brown, Chippewa, Cottonwood, Faribault, Jackson, Lac Qui Parle, Lincoln, Lyon, Martin, Murray, Nobles, Pipestone, Redwood, Renville, Rock, Watonwan, and Yellow Medicine.

Nebraska, counties of: Burt, Butler, Cass, Cumling, Dodge, Douglas, Lancaster, Otoe, Sarpy, Saunders, Seward, Thurston, and Washington.

(7) "Designated agent" means an elevator operator located in the designated area and authorized by Commodity to receive corn for the account of Commodity.

(8) "County committee" means the County Agricultural Conservation Committee.

(9) "Feeder" means any farmer or other person who acquires corn for the purpose of feeding livestock or poultry.

(10) "Authorized agent" means any employee of the United States, any State or local agency, whose services are utilized by the Agricultural Adjustment Agency pursuant to (k) hereof.

(11) "Mixed feed manufacturer" means any person who uses corn in the manufacture of mixed feed for sale.

(b) *Limitations on sale and transportation*. Except as hereinafter otherwise provided:

(1) No person shall sell or deliver corn located in the designated area to any person other than Commodity or its designated agent, and no person other than Commodity or its designated agent shall purchase or accept delivery of corn located in such area.

(2) No person shall accept corn located in the designated area for transportation or delivery to any person other than Commodity or its designated agent. This provision shall not be construed to prevent any person or his agent from transporting corn owned by him from any point within the designated area to another point within such area.

(3) No person shall transport corn from the designated area to any place outside of such area, except to Commodity or its designated agent.

(c) *Exemptions*. (1) Any feeder whose establishment is located in the designated area and who has less than a 30-day supply of corn for feeding requirements may, upon application to the County committee for the county in which his establishment is located, be authorized by the committee, in writing, to acquire and transport:

(i) From any person other than an elevator operator in the designated area either 50 bushels of corn located in such area or such amount as is necessary to make his inventory equal to a 30-day supply, whichever amount is the greater; or

(ii) From any elevator operator located in the designated area either 50 bushels of corn not subject to the set aside requirements of War Food Order No. 96 (9 F. R. 3253) or War Food Order No. 96-1 (9 F. R. 3628), or such amount of such corn as is necessary to make his inventory equal to a 30-day supply, whichever amount is the greater.

(2) Upon the surrender to the seller of an authorization issued by the ap-

propriate County committee in accordance with (c) (1) hereof:

(i) Any person other than an elevator operator in the designated area may sell and deliver to the person named in such authorization the amount of corn specified therein; and

(ii) Any elevator operator located in the designated area may sell and deliver to the person named in such authorization corn not subject to the set aside requirements of War Food Order No. 96, *supra*, or War Food Order No. 96-1, *supra*, in the amount specified in such authorization.

(3) Any feeder, upon application to the County committee for the county where corn owned by him is located, may be authorized by such committee, in writing, to transport such corn to any point outside of the designated area for the purpose of feeding livestock or poultry owned by him.

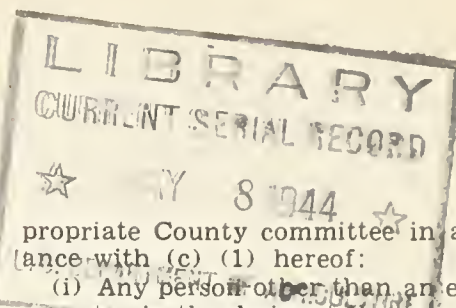
(4) Any person who buys, sells, or transports corn in accordance with the provisions of any authorization issued by a County committee under this order shall comply with all directions contained in such authorization.

(d) *Transportation*. (1) Any person transporting corn within or from the designated area by any means other than rail shall stop upon request by an authorized agent, shall identify the source and destination of such corn, and shall allow inspection of any shipping papers in his possession; and any authorized agent who has probable cause to believe that any person is transporting corn in violation of this order is authorized to stop such person and make the inspection herein provided for.

(2) Any person transporting corn within or from the designated area in accordance with an authorization issued under (c) hereof shall, while engaged in such transportation, carry a copy of such authorization which shall be submitted for inspection by an authorized agent upon request.

(e) *Limitations on use*. (1) Beginning May 1, 1944, no mixed feed manufacturer located in the designated area shall use during any month any quantity of corn in the manufacture of mixed feed which is in excess of the average quantity of corn used by him in the manufacture of mixed feed during the corresponding month of the calendar years 1942 and 1943.

(2) Every person who, under an authorization from Commodity, acquires corn from Commodity or any of its designated agents shall comply with all the terms and conditions specified in such authorization, and any failure to comply with such terms and conditions shall constitute a violation of this order.





(f) *Contracts.* The provisions of this order and of all orders or regulations issued pursuant thereto shall be observed without regard to contracts heretofore or hereafter made, or any rights accrued or payments made thereunder.

(g) *Records and reports.* (1) The Chief of AAA shall be entitled to obtain such information from and require such reports and the keeping of such records by any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least one year (or for such period of time as the Chief of AAA may designate), maintain an accurate record of his transactions in corn.

(3) Every elevator operator shall, prior to any sale or delivery of corn under the provisions of (c) hereof, report to the County committee for the county in which his elevator or other facility is located the amount of corn on hand on the effective date of this order which was not subject to the set aside requirements of War Food Order No. 96, *supra*, or War Food Order No. 96-1, *supra*.

(h) *Audits and inspections.* The Chief of AAA shall be entitled to make such audit or inspection of the books, records and other writings, premises, or stocks of corn of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the en-

forcement or administration of the provisions of this order.

(i) *Request for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a request for relief with the County committee for the county in which the corn is located. The request shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. Such request shall be acted upon by the Chief of AAA or any employee of the Agricultural Adjustment Agency designated by him.

(j) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using corn or any other material subject to priority or allocation control by any governmental agency. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(k) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby

delegated to the Chief of AAA. The Chief of AAA is authorized to redelegate to any employee of the United States Department of Agriculture, or to any agency or employee of the United States, any or all of the authority vested in him by this order, and to utilize the services of any Federal, State, or local agency in the administration of this order.

(l) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Chief of AAA, be addressed to the Chief of Agricultural Adjustment Agency, United States Department of Agriculture, Washington 25, D. C., Ref.: WFO 98.

This order shall be effective for 60 days beginning at 12:01 a. m., c. w. t., April 25, 1944.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and all subsequent reporting and record-keeping requirements of this order will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 22d day of April 1944.

GROVER B. HILL,  
Acting War Food Administrator.

#### War Food Administration Summary to WFO-98

To assure continued production of critical war materials depending on processed corn products the War Department, War Production Board, and the War Food Administration issued an urgent appeal today to farmers in the Surplus-producing counties of the Corn Belt to sell corn to the Government. The appeal is for corn not required for the farmers' own needs or the needs of feeders in their own communities.

Economic Stabilization Director Fred M. Vinson, Price Administrator, Chester Bowles, and War Food Administrator Marvin Jones, said there would be no increase in the ceiling price of 1943 crop corn.

The WFA announced a program to protect the source of supply and assist farmers in marketing the necessary corn. This program will be in effect in 125 designated counties in Nebraska, Iowa, Minnesota, Illinois, and Indiana for 60 days unless the objective of attaining adequate supplies for essential processors is reached before the end of the 60-day period. The program follows:

Movement of corn from farms or elevators in these counties after 12:01 a. m., Tuesday, April 25, is restricted to sales to the Commodity Credit Corporation except that feeders who present evidence

of immediate need may apply to the County AAA Committee for authorization from the WFA to purchase and transport a limited supply. Purchases made by CCC will be handled through local elevators.

Corn owned by feed mixers can be used by them in the manufacture of mixed feed in amounts not in excess of the average used by them in the manufacture of mixed feeds during the corresponding period in 1942 and 1943. This provision becomes effective May 1.

To avoid the necessity of farmers interrupting their spring work, WFA will provide shelling service at the farm and transportation to the local elevator through contracts with operators of portable shellers. Shelling service and transportation to the local elevator will be supplied at no cost to the farmer. In addition to these services, the farmer will be paid the local elevator ceiling price.

County and community AAA Committees will begin immediately in the designated counties to visit farms to determine the amount of corn available for purchase by the CCC and to arrange for shelling and transportation services.

WFA has received reports that several processing plants supplying corn products to war industries have been operating at reduced capacity or temporarily have been closed for lack of corn.

Counties in which the corn purchase program is effective:

*Minnesota.*—Blue Earth, Brown, Chipewah, Cottonwood, Faribault, Jackson, Lac Qui Parle, Lincoln, Lyon, Martin, Murray, Nobles, Pipestone, Redwood, Renville, Rock, Watonwan, Yellow Medicine.

*Nebraska.*—Burt, Butler, Cass, Cumming, Dodge, Douglas, Lancaster, Otoe, Sarpy, Saunders, Seward, Thurston, Washington.

*Iowa.*—Audubon, Boone, Buena Vista, Calhoun, Carroll, Cerro Gordo, Cherokee, Clay, Crawford, Dallas, Dickinson, Emmet, Franklin, Fremont, Greene, Grundy, Guthrie, Hamilton, Hancock, Hardin, Harrison, Humboldt, Ida, Jasper, Kossuth, Lyon, Marshall, Mills, Monona, Montgomery, O'Brien, Osceola, Page, Palo Alto, Plymouth, Pocahontas, Polk, Pottawattamie, Poweshiek, Sac, Shelby, Sioux, Story, Tama, Webster, Winnebago, Woodbury, Wright.

*Illinois.*—Bureau, Cass, Champaign, Christian, DeWitt, Douglass, Edgar, Ford, Fulton, Grundy, Iroquois, Kankakee, Kendall, Knox, La Salle, Lee, Livingston, Logan, McLean, Macon, Marshall, Mason, Menard, Morgan, Moultrie, Peoria, Platt, Putnam, Sangamon, Scott, Stark, Tazewell, Vermilion, Will, Woodford.

*Indiana.*—Benton, Fountain, Jasper, Montgomery, Newton, Pulaski, Starke, Tippecanoe, Vermillion, Warren, White.



## WAR FOOD ADMINISTRATION

[WFO 98, Amdt. 1]

## PART 1468—GRAIN

LIMITATIONS ON SALE, TRANSPORTATION, AND  
USE OF CORN

War Food Order 98 (9 F.R. 4379), § 1468.8, is amended as follows:

1. By amending (a) (2) thereof to read as follows:

(2) "Corn" means yellow, white, or mixed shelled corn, ear corn, or snap corn, of the dent or flint varieties, whole or crushed or mixed with other whole grains, excluding, however, seed corn, popcorn, grain sorghums, sweet corn, broom corn, corn used for canning purposes, and packaged corn meal, corn grits, or other corn products packaged for human consumption.

2. By amending (b) (2) thereof to read as follows:

(2) No person shall accept corn located in the designated area for transportation or delivery to any person other than Commodity or its designated agent. This provision shall not be construed to prevent any person or his agent from transporting corn owned by him from

any point within the designated area to another point within such area: *Provided* Such corn does not at any time move outside of the designated area.

3. By amending (c) (3) thereof to read as follows:

(3) Any feeder, upon application to the County committee for the county where corn owned by him is located, may be authorized by such committee, in writing, to transport such corn to any point within a county adjoining the designated area for the purpose of feeding livestock or poultry owned by him.

4. By amending (i) thereof to read as follows:

(i) *Request for relief from hardship.* Any person located in the designated area who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a request for relief with the County committee for the county in which such person's establishment is located. Any other person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a request

for relief with the Chief of the Agricultural Adjustment Agency, Washington 25, D. C. All requests shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. Such requests shall be acted upon by the Chief of AAA, or any employee of the Agricultural Adjustment Agency designated by him.

This amendment shall become effective at 12:01 a. m., c. w. t., May 4, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 98 prior to the effective date of this amendment, all provisions of said War Food Order No. 98 in effect prior to this amendment shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 3d day of May, 1944.

GROVER B. HILL,  
First Assistant War Food Administrator.

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son who owns or operates a grain elevator, warehouse, or barge or car loading facility, and who receives corn for resale.

(4) "Commodity" means the Commodity Credit Corporation.

(5) "Chief of AAA" means the Chief of the Agricultural Adjustment Agency, War Food Administration, or any employee or agency of the Department of Agriculture designated by him.

(6) "Designated area" includes the following:

*Illinois*, Counties of: Bureau, Cass, Champaign, Christian, De Witt, Douglas, Edgar, Ford, Fulton, Grundy, Iroquois, Kankakee, Kendall, Knox, LaSalle, Lee, Livingston, Logan, McLean, Macon, Marshall, Mason, Menard, Morgan, Moultrie, Peoria, Piatt, Putnam, Sangamon, Scott, Stark, Tasewell, Vermillion, Will, and Woodford.

*Indiana*, Counties of: Benton, Fountain, Jasper, Montgomery, Newton, Pulaski, Starke, Tippecanoe, Vermillion, Warren, and White.

*Iowa*, Counties of: Audubon, Boone, Buena Vista, Calhoun, Carroll, Cerro Gordo, Cherokee, Clay, Crawford, Dallas, Dickinson, Emmet, Franklin, Fremont, Greene, Grundy, Guthrie, Hamilton, Hancock, Hardin, Harrison, Humboldt, Ida, Jasper, Kossuth, Lyon, Marshall, Mills, Monona, Montgomery, O'Brien, Osceola, Page, Palo Alto, Plymouth, Pocahontas, Polk, Pottawatomie, Poweshiek, Sac, Shelby, Sioux, Story, Tama, Webster, Winnabago, Woodbury, and Wright.

*Minnesota*, Counties of: Blue Earth, Brown, Chippewa, Cottonwood, Faribault, Jackson, Lac Qui Parle, Lincoln, Lyon, Martin, Murray, Nobles, Pipestone, Redwood, Renville, Rock, Watonwan, and Yellow Medicine.

*Nebraska*, Counties of: Burt, Butler, Cass, Cuming, Dodge, Douglas, Lancaster, Otoe,

a 30-day supply of corn for feeding requirements may, upon application to the County committee for the county in which his establishment is located, be authorized by the committee, in writing, to purchase, accept delivery of, and ship:

(i) From any person other than an elevator operator in the designated area, either 50 bushels of corn located in such area or such amount of corn as is necessary to make his inventory equal to a 30-day supply, whichever is the greater; or

(ii) From any elevator operator located in the designated area, either 50 bushels of corn not subject to the set-aside requirements of War Food Order No. 96 (9 F. R. 3253) or War Food Order No. 96-1 (9 F. R. 3628), or such amount of such corn as is necessary to make his inventory equal to a 30-day supply, whichever is the greater.

(2) Upon the surrender to the seller of an authorization issued by the appropriate County committee in accordance with (c) (1) hereof:

(i) Any person other than an elevator operator in the designated area may sell, deliver and ship to the person named in such authorization the amount of corn specified therein; and

(ii) Any elevator operator located in the designated area may sell, deliver and ship to the person named in such authorization corn not subject to the set-aside requirements of War Food Order No. 96, supra, or War Food Order No. 96-1, supra, in the amount specified in such authorization.

(5) Every person who, under an authorization from Commodity, acquires corn from Commodity or any of its designated agents shall comply with all the terms and conditions specified in such authorization, and any failure to comply with such terms and conditions shall constitute a violation of this order.

(e) *Contracts.* The provisions of this order and of all orders or regulations issued pursuant thereto shall be observed without regard to contracts heretofore or hereafter made, or any rights accrued or payments made thereunder.

(f) *Records and reports.* (1) The Chief of AAA shall be entitled to obtain such information from and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least one year (or for such period of time as the Chief of AAA may designate), maintain an accurate record of his transactions in corn.

(3) Every elevator operator shall, prior to any sale or delivery of corn under the provisions of (c) hereof, report to the County committee for the county in which his elevator or other facility is located the amount of corn on hand on the effective date of this order which was not subject to the set-aside requirements of War Food Order No. 96, supra, or War Food Order No. 96-1, supra.

(g) *Audits and inspections.* The Chief of AAA shall be entitled to make such



audit or inspection of the books, records and other writings, premises, or stocks of corn of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(h) *Request for relief from hardship.* Any person located in the designated area who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a request for relief with the County committee for the county in which such person's establishment is located. Any other person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a request for relief with the Chief of the Agricultural Adjustment Agency, Washington 25, D. C. All requests shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. Such requests shall be acted upon by the Chief of AAA or any employee of the Agricultural Adjustment Agency designated by him.

(i) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using corn or

any other material subject to priority or allocation control by any governmental agency. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty, created by, or to enjoin any violation of, any provision of this order.

(j) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Chief of AAA. The Chief of AAA is authorized to redelegate to any employee of the United States Department of Agriculture, or to any agency or employee of the United States, any or all of the authority vested in him by this order, and to utilize the services of any Federal, State, or local agency in the administration of this order.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless herein otherwise provided or unless instructions to the contrary are issued by the Chief of AAA, be addressed to the Chief of Agricultural Adjustment Agency, United States Department of Ag-

riculture, Washington 25, D. C., Ref.: WFO 98.

This order shall be effective from 12:01 a. m., c. w. t., May 23, 1944, until 12:01 a. m., c. w. t., June 24, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 98, as amended, prior to the effective date of this amendment, all provisions of said War Food Order No. 98, as amended, in effect prior hereto shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and all subsequent reporting and record-keeping requirements of this order will be subject to the approval of, the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 22d day of May 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.

## WAR FOOD ADMINISTRATION

[WFO 98, Amdt. 3]

## PART 1468—GRAIN

PURCHASE OF CORN ACQUIRED BY COMMODITY  
CREDIT CORPORATION

War Food Order No. 98, as amended (9 F.R. 4379, 4738, 5397), § 1468.8, is further amended by deleting paragraph (d) (3) and substituting in lieu thereof the following:

(3) Every person who is authorized<sup>1</sup> by Commodity to purchase corn acquired

<sup>1</sup>See Commodity Credit Corporation, this issue.

by Commodity or any of its designated agents shall comply with all the terms and conditions specified in such authorization, regardless of whether such purchase is from a designated agent or from a person who has purchased under such an authorization, and any failure to comply with such terms and conditions shall constitute a violation of this order.

This amendment shall become effective at 12:01 a. m., c. w. t., June 12, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 98, as amended, prior to the effective date of

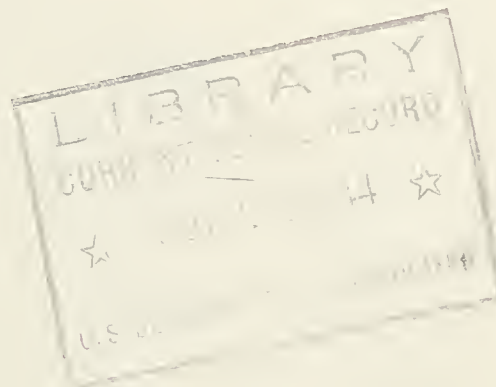
this amendment, all provisions of said War Food Order No. 98, as amended, in effect prior hereto shall be deemed to remain in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 10th day of June 1944.

ASHLEY SELLERS,  
Assistant War Food Administrator.

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